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CHARLENE ROSS, et al

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

CHARLENE ROSS, Individually and as  
Guardian Ad Litem for B.S., a Minor Child,  
and A.S., a Minor Child,

Plaintiffs,

vs.

MANAGEMENT SOLUTIONS, business form  
unknown, Managing Agent for Villa De Oro  
Hayward Homeowner's Association; VILLA  
DE ORO HAYWARD HOMEOWNERS'  
ASSOCIATION, a California Non-Profit  
Mutual Benefit Corporation; JAMES HENTON,  
Managing Agent for Villa De Oro Hayward  
Homeowners' Association; JASON CHEN,  
Leasing Agent and for Owner, LISI BANKS,  
Owner; and DOES 1 through 25, inclusive,

Defendants.

Case No.: CV09-0367 BZ

**AMENDED**

**[PROPOSED] ORDER APPROVING  
MINOR'S COMPROMISE**

The matter before the Court is Plaintiffs' Petition For Approval of Minor's Compromise of the claim to be asserted against Defendants MANAGEMENT SOLUTIONS; VILLA DE ORO HAYWARD HOMEOWNERS' ASSOCIATION; JAMES HENTON; JASON CHEN; and, LISI BANKS.

The Court, having considered Plaintiffs' Petition, ORDERS:

ORDER

1        1. The Application is GRANTED and the proposed compromise of claim or action or the  
2 proposed disposition of the proceeds of the judgment is approved. The gross amount or value of  
3 the settlement in favor of the Plaintiffs is \$40,000.00.

4        2. Payment of fees and expenses shall be paid by one or more checks or drafts, drawn  
5 payable to the order of the petitioner and the petitioner's attorney, if any, or directly to third  
6 parties entitled to receive payment identified in this order for the following items of expense or  
7 damage, which are hereby authorized to be paid out of the proceeds of settlement or judgment.

8            a. Attorney's fees in the amount of \$ 10,850.00, payable to Joseph K. Bravo, Esq.,  
9            principal of the law firm of Bravo & Margulies.

10           b. Costs in the amount \$2199.61, payable to payable to Joseph K. Bravo, Esq.,

11           principal of the law firm of Bravo & Margulies., **provided that Mr. Bravo ascertain that**  
12           **the filing file was entered twice.**

13        3. Within 48 hours after entry of this Order, a check or draft in the amount of \$5000.00 will  
14 be deposited into Well Fargo Account No. 4587 for Plaintiff B.S., a minor child. The blocked  
15 accounts belong to a minor. No withdrawals of principal or interest may be made from the  
16 blocked account or accounts without a further written order under this case name and number,  
17 signed by a judicial officer, and bearing the seal of this court, until the minor attains the age of  
18 18 years. When the minor attains the age of 18 years, the depository, without further order of this  
19 court, is authorized and directed to pay by check or draft directly to the former minor, upon  
20 proper demand, all moneys including interest deposited under this order. The money on deposit  
is not subject to escheat.

21        4. Within 48 hours after entry of this Order, a check or draft in the amount of \$5000.00 will  
22 be deposited into Well Fargo Account No. 4579 for Plaintiff A.S., a minor child. The blocked  
23 accounts belong to a minor. No withdrawals of principal or interest may be made from the  
24 blocked account or accounts without a further written order under this case name and number,  
25 signed by a judicial officer, and bearing the seal of this court, until the minor attains the age of  
26 18 years. When the minor attains the age of 18 years, the depository, without further order of this  
27 court, is authorized and directed to pay by check or draft directly to the former minor, upon  
28

ORDER

proper demand, all moneys including interest deposited under this order. The money on deposit is not subject to escheat.

5. The balance of the settlement or judgment available for Plaintiff Charlene Ross is \$16,950.00. after payment of all be redacted and filed under seal, and in light of this Court's consideration of the arguments set

**IT IS SO ORDERED.**

Dated: July 7, 2009



Magistrate Bernard Zimmerman

ORDER